

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BOARHEAD FARM AGREEMENT GROUP,

Plaintiff,

v.

CIVIL ACTION NO.  
02-cv-3830 (LDD)

ADVANCED ENVIRONMENTAL  
TECHNOLOGY CORPORATION, et al.,

Defendants.

**DECLARATION OF MICHAEL A. GOLLADAY IN OPPOSITION TO  
PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF DRAFTS OF  
THE EXPERT REPORT PREPARED BY KIRK W. BROWN, Ph.D.**

MICHAEL A. GOLLADAY, of full age and upon his oath declares as follows:

1. I am a principal of SI Group, LP ("SIG") and a Senior Scientist/Engineer within SIG. SIG was engaged by Kirk W. Brown, Ph.D. to provide support services in connection with Dr. Brown's rendition of an expert report in the above captioned matter on behalf of Handy & Harman Tube Company, Inc. ("Handy & Harman").
2. I am the only individual at SIG that had any communications, either orally or in writing, with counsel for Handy & Harman relating to Dr. Brown's expert report in this matter.
3. A couple of days before the date on which Dr. Brown's final report was to be submitted,<sup>1</sup> I faxed a draft report at the request of Dr. Brown to Handy & Harman's counsel, Melissa E. Flax, for purposes of ensuring that the organization of the report was in accordance with the federal rules.

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<sup>1</sup> The report was to be submitted on September 29, 2006.

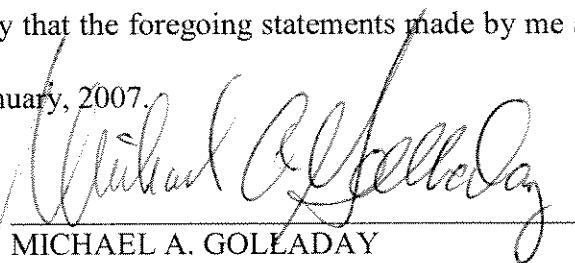
4. Subsequent to my faxing the draft report, I had a telephone conversation with Ms. Flax and Dr. Brown during which Ms. Flax suggested some changes in the organization of the report.

5. During this telephone conversation, Ms. Flax recommended that Dr. Brown's qualifications be moved to the front of the report (in the draft it was at the back), that the paragraphs be numbered and that topic headings (which appear as Roman Numerals I through X in Dr. Brown's report) be inserted. In addition, Ms. Flax suggested several minor grammatical cleanup items. These suggestions had nothing to do with the substance of the report or Dr. Brown's opinions.

6. Only one (1) draft of the report was faxed to Ms. Flax. There was one telephone conversation referred to in paragraph 4 above regarding the draft report. After the telephone conversation, the electronic file of the draft report was overwritten with the organizational and grammatical changes. The paper copy of the draft report was discarded as per our company policy.

7. Dr. Brown's entire file, which was produced on two (2) CDs, has been re-checked to determine whether the draft still exists and it does not.

I declare under penalty of perjury that the foregoing statements made by me are true and accurate. Executed on this 8<sup>th</sup> day of January, 2007.

  
MICHAEL A. GOLLADAY